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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,839	07/28/2003	Robert G. Messerschmidt	P0079.US2	5809
41868	7590	11/12/2004	EXAMINER	
INLIGHT SOLUTIONS, INC.			NGUYEN, THONG Q	
800 BRADBURY, SE			ART UNIT	
ALBUQUERQUE, NM 87106			PAPER NUMBER	
			2872	

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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10 / 628839 APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. <i>20</i>
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EXAMINER
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ART UNIT	PAPER
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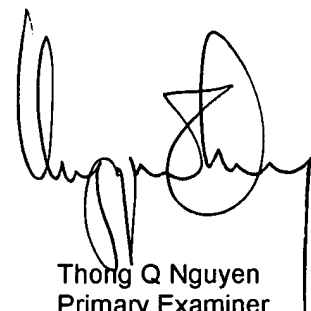
11022004

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Commissioner for Patents

SEE ATTACHED SHEETS

  
Thong Q Nguyen  
Primary Examiner  
Art Unit: 2872

## DETAILED ACTION

### *Response to Amendment*

1. The reply filed on 8/2/2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): See details as set forth in the Notes below. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

#### Notes:

1) The present application contains an Office action of 1/27/2004. In response to the Office action, applicant has filed an amendment on 6/30/2004.

The amendment of 6/30/2004 is not accepted and a Notice of Non-Compliant amendment has mailed to applicant on 7/21/2004. It is noted that in the mentioned communication, the clerk has indicated that claim 12 does not have a status indicator.

In response to the Notice of Non-Compliant Amendment of 7/21/2004, applicant has filed a set of claims in which applicant has provided a status indicator for claim 12.

2) The amendments of 6/30/04 and the set of claims filed on 8/2/2004 are reviewed by the Examiner in charged and the following problems are noticed and need to be corrected and clarify by the applicant.

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***First, claim 35 does not have a status indicator.***

***Second, in claim 38, the status indicator is incompleted. In other words, in claim 38, the status indicator as stated by "original)" is not accepted.***

***Third, it is noted that applicant has amended the specification by adding a paragraph with reference number thereof [0048] in which paragraph, applicant has provided a list of claims, i.e. claims 1-40. The addition of the paragraph [0048] has brought an unclear problem to the claims. In other words, it is unclear which set of claims, i.e., the set of claims in the paragraph [0048] or the set of claims as filed in 8/2/2004 is the claims of the present application.***

***Applicant should note that if the set of claims as filed on 8/2/2004 are the claims of the application then applicant must amend the specification in the paragraph [0048] to delete the claims as provided in the mentioned paragraph. Applicant should note that the specification cannot refer to the claims for the purpose of providing information and details of the invention.***

### **Conclusion**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong Q Nguyen whose telephone number is (571) 272-2316. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew A Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Q Nguyen  
Primary Examiner  
Art Unit 2872

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